THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10442 of 2007

Dated: 04-06-2007

Between:

Smt.M.J.Bharathi.

..... PETITIONER

AND

The District Collector, Visakhapatnam, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10442 of 2007

ORDER:

Training-cum-Production Center, Bakkannapalem, Visakhapatnam, appears to have requested first respondent, namely, the District Collector for allotment/assignment of land for its activities. In principal in was accepted. Thereafter, third respondent on his own appears to occupied 9000 sq. yards in survey No.41(P) of said Village and fenced it. The petitioner who purchased said property under registered sale deed dated 24.03.2006 complained. In response thereto second respondent, namely, the Mandal Revenue Officer (MRO), conducted enquiry and submitted a report to first respondent vide letter Rc.No.1108/2005 A

dt.12.04.2006. *Inter alia* it is reported that second respondent agreed the mistake in fencing the land and also agreed to remove the fencing and that the land has to be handed over to the petitioner after removing fencing and taking possession. On these issues, second respondent sought necessary orders from first respondent. The matter is still pending. The petitioner, however, contends that inaction on the part of first respondent is culpable and therefore filed instant writ petition.

After hearing learned counsel for the petitioner, this Court is convinced that the writ petition as laid is not maintainable. However, it is observed that as second respondent allegedly conducted enquiry into the complaint given by the petitioner and also sent a report, it is for first respondent to look into the matter and pass necessary orders. If for any reason, third respondent refuses to vacate the land, the petitioner has to avail other remedies. First respondent may pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

04th June, 2007

Note: Issue CC in one week.

B/o

ghn